

Substitute

04-R- 0635

A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE GEORGIA INSTITUTE OF TECHNOLOGY GT SMART PROGRAM TO COLLABORATE WITH THE ATLANTA POLICE DEPARTMENT TO OPERATE AN ANONYMOUS TIP LINE AT THE GEORGIA INSTITUTE OF TECHNOLOGY TO DETER UNDERAGE DRINKING IN COOPERATION WITH GRANT AGREEMENTS BETWEEN THE GEORGIA INSTITUTE OF TECHNOLOGY AND THE ATLANTA POLICE DEPARTMENT WITH THE GOVERNOR'S CHILDREN AND YOUTH COORDINATING COUNCIL, AND FOR OTHER PURPOSES.

**WHEREAS**, alcohol consumption by underage drinkers is a serious social problem that may lead to more, increasingly serious, criminal activity and, therefore, create public disorder, and

**WHEREAS**, the Atlanta Police Department has received grant funding from the Governor's Children and Youth Coordinating Council to conduct enforcement and public education programs to deter underage drinking, and

**WHEREAS**, the Georgia Institute of Technology has received a companion grant from the Governor's Children and Youth Coordinating Council to deter underage drinking as part of the GT SMART initiative, and

**WHEREAS**, the GT SMART program intends to use a portion of its grant funds to establish an anonymous tip line so that citizens and visitors who suspect establishments of serving alcohol to underage patrons may inform authorities without having to identify themselves, and

**WHEREAS**, to make this tip line effective, information received from this tip line must be relayed to the Atlanta Police Department.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA.**

**Section one:** that the Mayor is hereby authorized to enter into an agreement with the Georgia Institute of Technology to provide that tips from the GT SMART tips hotline be conveyed to the Atlanta Police Department.

**Section two:** that the term of this agreement will be effective from June 7, 2004 to December 7, 2005.

**Memorandum of Understanding**  
**GT SMART Anonymous Tip Hotline**

This MOU made this      day of      , 2004, ("Effective Date"), by and between the Board of Regents of the University System of Georgia by and on behalf of Georgia Institute of Technology, located at 225 North Avenue, Atlanta, Georgia 30332, ("GIT"), and the Atlanta Police Department, whose principal place of business is located at 675 Ponce de Leon, Atlanta, GA. 30308.

WHEREAS, GIT and APD desire to establish a method for citizens of the City of Atlanta to report anonymously businesses suspected of selling to or serving alcohol to minors or intoxicated persons pursuant to a grant from the Children's and Youth Coordinating Council.

NOW, THEREFORE, in consideration of the mutual covenants and promises as hereinafter set forth, the parties hereto agree as follows:

1. GIT and APD agree to perform each of their specified obligations in the establishment and operation of the **GT SMART Anonymous Tip Hotline** as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.
2. GIT and APD are independent contractors and shall not be deemed to be employed by the other. Neither GIT nor APD has the authority to bind the other to any third person or otherwise to act in any way as the representative of the other. Each party will be responsible for its own acts and/or omissions hereunder and the results thereof.
3. If either party's performance hereunder is rendered impossible, hazardous, or is otherwise prevented or impaired due to inclement weather, sickness, inability to perform, accident, acts of God, riots, strikes, epidemics, any act or order of any public authority, and/or any other similar cause or event beyond either party's control, then both parties' obligations with respect to the performance hereunder shall be excused and both parties shall have no liability to one another in connection therewith.
4. The term of this MOU shall be 1.5 years from the Effective Date of this MOU. Either party may terminate this MOU for any reason upon thirty (30) days written notice to the other party.
5. This MOU shall be governed by the laws of the State of Georgia.
6. This MOU supersedes all prior discussions and MOU between the parties with respect to all matters contained herein. This MOU and attached Exhibit A contain the sole and entire understanding between the parties hereto with respect to the matters contemplated herein. No representation, promise or inducement not contained herein shall be binding on any party hereto. Neither party has relied on any representation, promise or inducement not contained herein. This MOU shall not be modified or amended except by instrument in writing signed by or on behalf of the parties hereto.

**IN WITNESS WHEREOF**, the parties hereto have caused this MOU to be duly

executed by their duly authorized officers as of the day and year set forth next to each signature.

**ATLANTA POLICE DEPARTMENT**

**BOARD OF REGENTS OF THE  
UNIVERSITY SYSTEM OF GEORGIA BY  
AND ON BEHALF OF GEORGIA  
INSTITUTE OF TECHNOLOGY**

BY: \_\_\_\_\_  
TYPED NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_

BY: Charles L. Latta  
TYPED NAME: Charles L. Latta  
TITLE: VP for Research  
DATE: 4/18/04

APPROVED AS TO  
LEGAL FORM

yfc April 5, 2004

## **EXHIBIT A**

### **The GT SMART Anonymous Tip Line**

#### **Purpose:**

To provide a method for citizens and visitors to the City of Atlanta to report to the Atlanta Police without concern of being identified, businesses within the City of Atlanta suspected of selling to or serving alcohol to minors or intoxicated persons. **Action on tips is at the discretion of the Atlanta Police Department.**

#### **Ga.Tech Obligations:**

To retrieve messages left on the Tip Line voice message system twice daily M-F between 10:00 AM to 4:30 PM.

To convert the information to an incident report form developed by the Atlanta Police Department and GT SMART.

To fax the form to the contact person designated by the APD.

To follow-up with APD two weeks after the fax is sent for a status report solely for the purpose of data collection for use by GT SMART so that GT SMART may report the data results or statistics to Children and Youth Coordinating Council.

That at no time will the disclosure of names, phone numbers or any other personal information be required or requested from callers using the Tip Line.

That, to our knowledge, there is no source to identify the callers or any personal information regarding them.

#### **APD Obligations:**

To investigate **at their sole discretion** any 'tips' provided by citizens or visitors to the City of Atlanta through the GT SMART Tip Line.

To disclose **at their discretion** the result of any investigation conducted to GT SMART for the purpose of data collection.

## Using the GT SMART Tip Line:

1. Citizen calls Tip Line number at 404 385-6232.
2. The voicemail message plays. (See script for voicemail message below)
3. Caller leaves required information.
4. Voicemail message is retrieved at GT SMART office.
5. A GT Smart Tip Sheet form is completed by a GT SMART staff member and faxed to the APD-designated point of contact.
6. A copy is retained by the GT SMART office for follow-up.
7. The APD **at their discretion** investigates the tip.
8. A report of the outcome of the investigation is faxed to the GT SMART office **at the discretion** of the APD.
9. The GT SMART office collects the data as specified by the CYCC grant.

## Script for the Anonymous Tip Hotline

Thank you for calling the Anonymous Tip Hotline. Please be assured that all calls are anonymous. If you suspect a business of selling or serving alcohol to underage or intoxicated persons, please leave the following information:

- The name and location of the business
- Was the sale to an underage or intoxicated person?
- When the alleged incident took place *including date and time*

The information you provide will be forwarded to the Atlanta Police Department for investigation. Investigating or taking action regarding a tip is at the discretion of the Atlanta Police Department.

Please wait for the beep, then speak slowly and clearly, and remember that you will have 3 minutes to complete your call.

# GT SMART

## TIP SHEET

**GT SMART Fax# 404 385-1675**

Person Taking Call:	Date:	Time:
Call Back Information	Name	Address
		Phone #

### BUSINESS INFORMATION

Business Name:	Location:
Type of Business: Bar Restaurant Package Store Convenience Store	Alleged Activity:
Is this an ongoing Activity?	Has this been reported to the Atlanta Police Department in the past? YES NO
YES NO	How many times?
Approximate date of last call to APD:	
General Information:	

### *Internal Use Only*

Date faxed to APD:	Faxed to whom?
--------------------	----------------

Follow-up calls to APD:

DATE

NAME

Response

Completion Date:

Resolution:

Signature: